

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA EX REL,
JENNIFER L. TEITELBAUM,

Plaintiff,

-against-

ALASKA AIRLINES, INC., AMERICAN AIRLINES,
INC., CONTINENTAL AIRLINES, INC., CHINA
EASTERN AIRLINES CORPORATION LIMITED,
CHINA SOUTHERN AIRLINES CORPORATION,
DEUTSCHE LUFTHANSA, A.G., D/B/A
LUFTHANSA AIRLINES, BRITISH AIRWAYS,
PLC, D/B/A BRITISH AIRWAYS, ALITALIA-
LINEE AEREE ITALIAN S.P.A., D/B/A ALITALIA
AIRLINES, SOUTHWEST AIRLINES CO., D/B/A
SOUTHWEST AIRLINES, VIRGIN ATLANTIC
AIRWAYS, AER LINGUS, AIR FRANCE, AIR
JAMAICA, HAWAIIAN AIRLINES, IBERIA
LINEAS AERGAS DE ESPAN, SA, D/B/A IBERIA
AIRLINES, JAPAN AIRLINES COMPANY, LTD,
D/B/A JAPAN AIRLINES, KLM ROYAL DUTCH
AIRLINES, QUANTAS EMPIRE AIRWAYS, LTD.,
D/B/A QUANTAS AIRWAYS, SINGAPORE
AIRLINES, AIR TRAN AIRWAYS, SA, ATA
AIRLINES, INC., AND JETBLUE AIRWAYS
CORP.,

Defendants.

CIVIL ACTION NO. 04-12450-MEL

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**ANSWER OF CHINA SOUTHERN AIRLINES COMPANY LTD.
TO PLAINTIFF-RELATOR'S AMENDED COMPLAINT**

Defendant China Southern Airlines Company, Ltd. ("CHINA SOUTHERN"), by its attorneys Campbell, Campbell & Edwards & Conroy, P.C. and Condon & Forsyth LLP, answers plaintiff's Amended Complaint ("Complaint") as follows:

1. To the extent that a response is required, denies the allegations in paragraph 1 and leaves all questions of law for the Court.

2. Denies the allegations in paragraph 2.

3. Denies the allegations in paragraph 3.

4. Denies the allegations in paragraph 4.

5. Denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5 to the extent that any response is required to plaintiff's "definitions."

6-8. Admits paragraphs 6-8 only so far as they pertain to fees which actually apply to CHINA SOUTHERN and that are actually collected by CHINA SOUTHERN and denies all other allegations contained therein.

9. Denies the allegations in paragraph 9 and leaves all questions of law to the Court.

10. Denies the allegations in paragraph 10 and leaves all questions of law to the Court.

11. Denies the allegations in paragraph 11 and leaves all questions of law to the Court.

12. Denies the allegations in paragraph 12 and leaves all questions of law to the Court.

13-18. Denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 13-18.

19. Admits that CHINA SOUTHERN is a corporation organized in China with its executive offices located at Baiyun International Airport, Guang Zhuu, Guangdong, China, but denies that the remainder of paragraph 19.

20-36. Denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 20-36.

37-38. To the extent a response is required to plaintiff's quoting of federal statutes, admits the allegations in paragraph 37-38.

39. Denies knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 39.

40-61. Denies the allegations in paragraphs 40-61.

**AS AND FOR A FIRST
AFFIRMATIVE DEFENSE**

62. The Complaint fails to state a claim against CHINA SOUTHERN upon which relief can be granted.

**AS AND FOR A SECOND
AFFIRMATIVE DEFENSE**

63. The Court lacks personal jurisdiction over the person of CHINA SOUTHERN.

**AS AND FOR A THIRD
AFFIRMATIVE DEFENSE**

64. The Court lacks subject matter jurisdiction.

**AS AND FOR A FOURTH
AFFIRMATIVE DEFENSE**

65. Plaintiff's claims are barred by the relevant statute of limitations set forth by federal and Massachusetts law.

**AS AND FOR A FIFTH
AFFIRMATIVE DEFENSE**

66. Plaintiff fails to meet the heightened pleading requirements of Federal Rule of Civil Procedure 9(b).

WHEREFORE, defendant CHINA SOUTHERN demands judgment dismissing the Complaint in its entirety or, alternatively, judgment limiting their liability pursuant to the foregoing, together with costs and disbursements.

Dated: February 17, 2006

Respectfully submitted,

/s/ Kathleen M. Guilfoyle
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Attorneys for Defendants
China Southern Airlines Company Ltd.

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on February 17, 2006.

By: /s/ Kathleen M. Guilfoyle

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